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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,669	12/31/2003	David Craig McGlamery	014033-000019	1668
24239	7590	09/08/2005		
MOORE & VAN ALLEN PLLC P.O. BOX 13706 Research Triangle Park, NC 27709			EXAMINER KOYAMA, KUMIKO C	
			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/707,669

Applicant(s)

MCGLAMERY ET AL.

Examiner

Kumiko C. Koyama

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1203,0605.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because it includes hand written reference numbers. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Claim Objections***

2. Claim 29 is objected to because of the following informalities:

Claim 29 is dependent on itself, and a claim is not permitted to be dependent on itself. For examination purposes, an assumption will be made that claim 29 is dependent on claim 26. However, the Examiner respectfully requests clarification as to what claim 29 is dependent on.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5-7, 9-11, 13-15, 17-19, 21-23, 25, 26, 28 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Cahill et al (US 5,963,659).

Re claims 1, 9, 17 and 25: Cahill discloses method and apparatus for correcting erroneously decoded magnetic ink characters. Cahill teaches a host system 8 including at least one sort station 2, which is a check imaging and sorting machine and a controller (col 12, lines 49-51). Sort station 2 receives checks 1, generates digital images of the checks, decodes the MICR line of each check and sorts them to one of a plurality of pockets (col 12, lines 51-54). The sort station 2 includes a control computer 201 and a storage device 202. The control computer 201 is coupled to the host system network 3 (col 14, lines 17-19). Checks 1 are fed into input hopper 203 of the sorter 200. The checks 1 are then conveyed along the track 220 sequentially to digital imager 204 and MICR line reader 205. The check images made by the image are passed to the Optical Character Recognition device (OCR) 206. After the MICR line is decoded by station 205, the checks 1 are passed to one of the eight output pockets., i.e. the repair pocket 208, the repass pocket 209 or one of the six normal sort pockets 210 (col 14, lines 20-29). Cahill also teaches that as in any character recognition peration, especially one employing mechanical movement of documents, errors can be introduced into the process (col 18, lines 1-3). As an example of these problems where a MICR line read error results from the second checks MICR line information “bleeding” through the first check, resulting in incorrect information being received by the MICR reader 205 (col 18, lines 10-16). If the “best read” contains “!” characters, errors are present. If no errors are present, the sorter 200 is controlled to send check 1 to one of the normal pockets 210 (col 19, lines 20-25). Where “best read” contains “!” characters, the number of characters is compared with a

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threshold number. Checks 1 containing some “!” characters, but fewer than the threshold level, are sent to the repair pocket 208 (col 19, lines 25-30). The repair pocket 208 is for MICR line correction at the repair station (col 19, lines 3-4). The repair station 4 provides the operator with convenient and efficient method of correcting MICR line information for a potentially large number of checks (col 20, lines 33-35).

Re claims 2, 10, 18 and 26: Cahill further teaches that the encoded information in the MICR line includes the account number, the check number and amount of the check (col 2, lines 57-62). Such disclosure teaches at least two portions of MICR document correspond to the stored data field. Since the MICR document is processed using an OCR as described above, Cahill also teaches performing an OCR process on the at least two portions of the image of the document.

Re claims 3, 11 and 19: Cahill teaches two OCR test results, wherein one result is determining whether the check has an error by determining whether the “best read” contains “!” and the second result is the comparison made the number of “best read” containing “!” characters with the threshold as described above.

Re claims 5-7, 13-15, 21-19, 28 and 29: Cahill further discloses displaying the images and the data on the repair station display device and the repair station 4 checks each of the three data fields that were encoded in the MICR line, specifically the account number, the check number and the amount, and highlights the first field requiring correction to the operator (col 20, lines 39-63).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 8, 12, 16, 20, 24, 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill in view of Kunkler et al (US 5,740,271).

Re claims 4, 12, 20 and 27: As described above Cahill teaches an OCR process of an MICR line. Cahill further teaches that the encoded information in the MICR line includes the account number, the check number and amount of the check (col 2, lines 57-62). Therefore, Cahill teaches an OCR process of an MICR amount. Cahill also teaches that the present application is directed an automated system, which retains images of the front and back of each check and data associated with that check. The associated data includes the account number, the check number and the check amount as well as image data. The system allows a user to request, retrieve and display check copies with turnaround time much faster (col 3, lines 8-15).

However, Cahill does not specifically disclose that that the results are specifically from an OCR of an MICR amount and a result of an OCR of a written amount.

Kunkler discloses that the amount box 18 is adapted to be electronically scanned so that the text image within the box 18 may be captured in pixel form. A handwritten or typed dollar amount in the amount box 18 may be verified against the dollar amount contained in the MICR code 26 using a modified optical character recognition (OCR) technique (col 7, lines 20-27).

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Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to provide an additional feature taught by Kunkler to the teachings of Cahill in order to verify that the amount is correct and to ensure that there is no fraudulent value added to the check.

Re claims 8, 16, 24 and 30: Cahill further discloses displaying the images and the data on the repair station display device and the repair station 4 checks each of the three data fields that were encoded in the MICR line, specifically the account number, the check number and the amount, and highlights the first field requiring correction to the operator (col 20, lines 39-63).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cahill et al., U.S. Patent No. 5,678,046, discloses method and apparatus for distributing files on a file storage device.

Cahill et al., U.S. Patent No. 5,917,965, discloses method and apparatus for storing images of documents having magnetic ink code line.

Cahill et al., U.S. Patent No. 5,940,844, discloses method and apparatus for displaying electronic image of a check.

Cahill et al., U.S. Patent No. 6,181,837, discloses electronic check image storage and retrieval system.

Cahill et al., U.S. Patent No. 6,574,377, discloses electronic check image storage and retrieval system.

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Buchanan et al., U.S. Patent No. 2004/0133516, discloses methods and systems for processing financial instrument deposits.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Kumiko C. Koyama*  
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September 06, 2005

  
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